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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,536	04/25/2001	Todd A. Newville	09651-014001	7416

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EXAMINER

RAMPURIA, SHARAD K

ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,536

Applicant(s)

NEWVILLE, TODD A.

Examiner

Sharad Rampuria

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 6-20 is/are pending in the application.
4a) Of the above claim(s) 3-5 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 2 and 6-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

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Response to Amendment

Applicant's arguments with respect to claims 1-2, 6-20 have been considered but are moot in view of the new ground(s) of rejection.

Claims 3-5 are cancelled.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 9-20 are rejected under 35 U.S.C. 102 (e) as being anticipated by Schwartz et al. [US 6473609] (hereinafter Schwartz)

1. Regarding claim 1, Schwartz disclosed a communication system (602; fig.6) comprising:
a stationary transceiver (606; fig.6) defining an information portal in a vicinity thereof,
a local server (604; fig.6) in communication with said transceiver, said local server being configured to respond to a mobile processing-system present within said information portal,
(col.17; 16-45) said local server being configured to provide to said mobile processing systems

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data previously requested by said mobile processing system prior to entry of said mobile processing system into said information portal. (Abstract, col.17; 3-15, col.3; 37-54)

9. Regarding claim 9, Schwartz disclosed The communication system of claim 1, wherein said local server and said stationary transceiver are in communication across a local area network. (col.2; 63-col.3; 5)

10. Regarding claim 10, Schwartz disclosed The communication system of claim 1, wherein said local server and said stationary transceiver are in wireless communication across a local area network. (col.2; 63-col.3; 5)

11. Regarding Claim 11, Schwartz disclosed The communication system of claim 1, further comprising a fulfillment server in communication with said local server, said fulfillment server having access to a wide area network. (604; fig.1; col.11; 4-33)

12. Regarding Claim 12, Schwartz the communication system of claim 11; wherein said local server comprises a cache for temporary accumulation of information from said fulfillment server to be relayed to said mobile processing system. (col.17; 3-15).

13. Regarding Claim 13, Schwartz disclosed The communication system of claim 11, wherein said wide area network comprises a global computer network. (604; fig.1; col.11; 4-33).

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14. Regarding Claim 14, Schwartz disclosed The communication system of claim 11, wherein said fulfillment server includes a user-interface for enabling a user to cause said fulfillment server to collect selected information. (604; fig.1; col.11; 4-33)

15. Regarding Claim 15, Schwartz disclosed The communication system of claim 14, wherein said fulfillment server is configured to provide said selected information to said local server when said local server identifies, within said information portal, a mobile processing unit associated with said user. (604; fig.1; col.11; 4-33)

16. Regarding Claim 16, Schwartz disclosed The communication system of claim 14, wherein said fulfillment server includes a user-interface for enabling a user to cause said fulfillment server to detect an occurrence of a condition. (604; fig.1; col.11; 4-33).

17. Regarding Claim 17, Schwartz disclosed The communication system of claim 16, wherein said fulfillment server is configured to provide information indicative of an occurrence of said condition to said local server when said local server identifies, within said information portal, a mobile processing unit associated with said user. (604; fig.1; col.11; 4-33)

18. Regarding Claim 18, Schwartz disclosed The communication system of claim 16, wherein said fulfillment server is configured to provide interactive services to said mobile processing unit. (604; fig.1; col.11; 4-33).

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19. Regarding claim 19, Schwartz disclosed a communication system (602; fig.6) comprising: a plurality of stationary transceivers (606; fig.6), each configured for wireless communication with a mobile processing system present in a corresponding information portal; and a server system (604; fig.6) in communication with each of said stationary receivers (col.17; 16-45), server system having a link to a global computer network and thereby providing said mobile processing system with wireless access to said global computer network said server system including a server configured to provide to said mobile processing systems data previously requested by said mobile processing system prior to entry of said mobile processing system into said information portal. (Abstract, col.17; 3-15, col.3; 37-54)

20. Regarding claim 20, Schwartz disclosed a method for providing a mobile processing system with wireless access to a global computer network (abstract), said method comprising: maintaining an information portal (col.17; 16-45); establishing wireless communication between said mobile processing system and a server system following entry of said mobile processing system into said information portal; (col.17; 16-45) providing to said mobile processing systems data previously requested by said mobile processing system prior to entry of said mobile processing system into said information portal. (Abstract, col.17; 3-15, col.3; 37-54)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 6, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. in view of Titmuss et al.

2. Regarding claim 2, Schwartz disclosed a communication system (602; fig.6) comprising: a stationary transceiver (606; fig.6) defining an information portal in a vicinity thereof, a local server (604; fig.6) in communication with said transceiver, said local server being configured to respond to identify and respond to a mobile processing-system present within said information portal. (col.17; 16-45) and, to perform a function on the basis of the identity of said mobile processing-system. (Abstract, col.17; 3-15, col.3; 37-54)

Schwartz fails to disclose permitting building access to a portion of said building. However, Titmuss teaches in an analogous art that function being selected from the group consisting of: permitting building access to a portion of said building; controlling an elevator in said building. (col.5; 1-28) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include permitting building access to a portion of said building in order to provide a method for delivering information to mobile user in particular area.

6. Regarding claim 6, Schwartz disclosed the communication system of claim 2, further comprising an access control unit in communication with said local server, said access control

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unit being controlled by said local server on the basis of the identity of said mobile processing-system. (604; fig.1; col.11; 4-33).

8. Regarding claim 8, Schwartz disclosed all the particulars of the claim except stationary transceiver is disposed at a location selected from the group consisting of an elevator, a building lobby. However, Titmuss teaches in an analogous art, that the communication system of claim 1, wherein said stationary transceiver is disposed at a location selected from the group consisting of an elevator, a building lobby, and a vehicle (col.5; 1-28) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include stationary transceiver is disposed at a location selected from the group consisting of an elevator, a building lobby in order to provide a method for delivering information to mobile user in particular area.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. in view of Carey et al.

7. Regarding Claim 7, Schwartz disclosed all the particulars of the claim except transceiver is selected from the group consisting of a radio transceiver, an optical transceiver, an infrared transceiver, and an acoustic transceiver. However, Carey teaches in an analogous art, that The communication system of claim 1, wherein said stationary transceiver is selected from the group consisting of a radio transceiver, an optical transceiver, an infrared transceiver, and an acoustic transceiver. (col.9; 1-9) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include transceiver is selected from the group consisting of a radio

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transceiver, an optical transceiver, an infrared transceiver, and an acoustic transceiver in order to provide optimum radiation patterns within coverage area of a wireless communication system.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

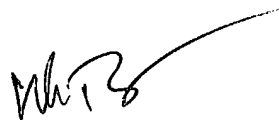
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Thurs (9:00-6:30) and every second Fri. (9:00-5:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Sharad Rampuria
November 8, 2004



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
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